

MINUTES
COUNCIL ON RECYCLING
FEBRUARY 9, 2005
RADISSON HOTEL & CONVENTION CENTER
BEAR ROOM
2040 AIRPORT DRIVE
GREEN BAY, WISCONSIN

Council Members Present:; Neil Peters-Michaud; John Piotrowski; John Reindl; Cecelia Stencil; Charlotte Zieve.

Council Members Absent: Jeff Fielkow; William Swift

Also attending: Jeff Beyer, Manitowoc County; George Dreckmann, City of Madison; Mark Halleen, Foth and Van Dyke; Meleesa Johnson, Portage County; Cynthia Moore, DNR; Lee Schwartz, UW-Green Bay; Vera Stroud; Joe Van Rossum, UW-Ext, Solid and Hazardous Waste Education Center; Linda Wainstock, BeSmart Coalition;

Call To Order: The meeting was called to order by Chair John Reindl at 12:30 PM

Introduction and Announcements: John Reindl said that the legislature was back in session. Over 125 bills have been introduced but no major recycling legislation. Bills that have some impact on recycling include a bill by the manufactured housing industry that would impose a fee on the sale of manufactured housing. The fee would go into a fund for grants for the recycling of old manufactured housing units. Another bill would prohibit disposal of PCB's in landfills. This comes from the Fox River Valley and it has created discussion on whether any landfill is safe enough to take PCB's. Reindl said that EPA is holding hearings on cell phone and computer recycling. They would like to create one national program for the issue. The U.S. Commerce Department is also looking at the issue. Neil Peters-Michaud said he will be attending the EPA meeting.

Minutes: Approval of the Minutes of November 18, 2004. Charlotte Zieve moved, John Piotrowski seconded. Minutes approved without amendment.

Election of Officers:

Chair: John Reindl, Nominated by Zieve, seconded by Cecelia Stencil. There were no other nominations. Elected 5-0

Vice-Chair: Jeff Fielkow, nominated by Zieve, seconded by Stencil. There were no other nominations. Elected 5-0

Secretary: Bill Swift nominated by Zieve, seconded by Stencil. There were no other nominations. Elected 5-0

Public Comment: Linda Wainstock, BeSmart (formerly South East Wisconsin Waste Reduction Coalition) Coalition. BeSmart was founded in 1995 and is a coalition of local government organizations and non-profit groups. She said that in 2004 the Bureau of Correctional Enterprises (BCE) discontinued computer pick-up with only 1 month notice. That has created problems for their organization. They are looking for other options. The national effort on electronics recycling has stalled. Some national computer manufacturers have started a program called 'Rethink'. It shows recycling sites by zip code. Many sites they list no longer exist. So there is no industry support and no state support. The BeSmart Coalition requests that the Council resubmit its' recommendation regarding Sen. Miller's bill. Reindl said that Sen. Miller announced that he will be reintroducing legislation in this area. Wainstock said that she hoped his legislation would promote producer responsibility. She said that her group did not take a position on specifics, such as a Third Party Organization (TPO) or other specific models. Neil Peters Michaud said that the Council's recommendations were different than Sen. Miller's bill. Reindl said that the European

standards will eventually become the world standards. Piotrowski asked if the current issue was really collection. Wainstock said that that is the issue. It is currently cost prohibitive to do it individually. Local communities need to have a mechanism to recycle computers today. Her community is joining with several others to do a Request for Proposal (RFP) for recycling computers. Peters Michaud said an RFP should work.

Mark Halleen, Foth and Van Dyke, said the huge number of RU's is a burden to administer. He said that the large number is confusing to the public. He suggested that the Council go on record as supporting a proposal for there to be less than 100 RU's. Financial incentives should be used to make the change. He proposed a grant program to give money to RU's for consolidation. He said a 20% increase in the allotment for 3 years for both parties. That would make the structure more effective. The REI program does not go far enough. Joe Van Rossum, UW-Ext, said that, if all RU's consolidated, it would come to about another \$5M/yr for 3 years. Halleen said 20% may not be the right percentage but that was the type of incentive they need to consolidate. The Recycling Fund has enough money to cover that cost. Reindl said that there is a long history to how the state ended up with so many RU's. He said that Dane County did not become the RU because the city of Madison had all the trucks, system etc. So the city became an RU. The small towns came to the county and said that they were the elected officials and they were going to determine the level of services they would offer their constituents. So they became RU's. The state was supposed to deliver two-thirds of the costs. The state is only delivering 28%. Municipalities see the fund as their money that was promised but never delivered. Legislative Council staff have looked at the issue of consolidation and they were not able to say that bigger was better. Jeff Beyer, Manitowoc County, said that the formula used for the grants discourages consolidation. The formula must be changed. Manitowoc County has looked at consolidation and it would lose money if it consolidated. The 20% would help in the short term but they would lose money after that. Cynthia Moore, DNR, said that DNR was aware of the problem with the formula. The Waste Program is going through a review and recycling is a big part of the program. They are looking at diversion in all forms. They have asked the governor to appoint a Blue-Ribbon Commission to look at the issues. Moore said she will e-mail the outline of the Waste Program Redesign to anyone interested. Halleen said that as long as there are going to be statutory changes anyway, DNR should set up a new program with a 20% bonus. Moore said she wants to take many ideas to the table. Halleen said the process takes a long time and the DNR should start now or it will never get done. Moore said DNR is working with legislative staff to make changes, including changes to the formula.

George Dreckmann, City of Madison, thanked the Council for their commitment to recycling. His issue has to do with funding the Department of Corrections (BCE) program from the recycling fund. He said that BCE has stopped their collection program everywhere except for drop offs at their prison sites. They are providing a duplicate service for business instead of local communities. The \$180,000 from the recycling fund is no longer providing any service to the RU's. The recycling fund is supposed to help local governments but now that money is not being used for RU's. He said the funding should be pulled. BCE has a dubious record. For years all they really did was warehouse material. The funding should go to local governments to help fund their recycling programs. Neil Peters Michaud asked if any other program funded by the recycling fund be eliminated as well. Dreckmann said they should. The fund should just be for RU's. The other ideas should stand on their own and come from the general fund. \$13 million was taken out of the recycling fund to help balance the budget last session. Those raids should stop as well. Piotrowski asked if the BCE program was statewide. Dreckmann said that it was but now they only pick up at prison sites. Communities that were relying on the service are no longer getting any help. It was very inefficient to do that since they went all over the state and that was expensive. Some money should be left to help them dispose of the material they still have on hand. If the program is deemed worthwhile by Corrections, they should fund it internally.

Lee Schwartz, UW-GB, said he was just interested in learning about the Council. Reindl suggested that Schwartz explore the UW System grants program for recycling and solid waste.

Meleesa Johnson, Portage County, said that she used funding from the UW System and thought it was a great program. She said that she was worried about the diversion of money from the recycling fund to the general fund. Segregated funds should be hands off from raids. The fees should go to the programs that the fees are intended for.

Vera Stroud, retired, said that there are a number of economic problems that recycling faces. Some companies are going out of business.

Reports

DNR: Moore said that the rule package will go to the Natural Resources (NR) Board on Feb 22. There were some minor changes to the original rule. The recycling rules will be going to the NR Board with other solid waste rules. If approved by the NR Board, they will go to the legislature in March. She said the Paper Council expressed concerns about single stream. The department recognized their concerns but did not revise the rule. Moore said the hauler notification rule was modified to include residential and verbal contracts. Some haulers did have comments but the department did not revise the rule. Peters-Michaud asked why there was opposition to the rules. Moore said that haulers comments indicated that the hauler notification was unenforceable and unnecessary. The department disagreed. The department received several letters in support of hauler notification. Peters-Michaud suggested that the Council go on record supporting the rule package. Stencil said she that the hauler notification requirement was very important. There are problems with hauler notification in her area. Reindl said that the Council was not meeting again until after the package was before the legislature. Peters-Michaud moved that the Council endorse 3 sections of the rule package dealing with hauler notification, Stencil seconded. Zieve said the education component was very important. Reindl agreed, saying the Council has constantly stressed education. Piotrowski said he could not understand why haulers might consider this a burden. Moore said they have worked with haulers to try to make sure that the requirement was not a burden. The motion passed 5-0. Reindl said he would write the letter and contact Jeff Fielkow about this provision vis a vis Recycle America Alliance and the hauling part of Waste Management, since he was unable to make the meeting.

Moore said that the RU reports were available on-line. They have been revised.

Moore said the department is working on a low hazardous waste exemption for wood chips, drywall and glass.

Moore said the department has kicked off a 10-year celebration of the implementation of the recycling program. She said extra efforts will be made on publicity.

Used Oil Filters and Absorbents- Dan Fields, DNR, said that there will be a meeting of the used oil filter and absorbent committee in April. This should be the last meeting. The committee will forward their conclusions to the legislature. The committee has tentatively set some goals. If those goals are not met in a time frame then used oil filters will be banned from landfills in Wisconsin, probably six months after the deadline. For example, if we were not recycling 50% or 60% (Currently 20-25%) of used oil filters by July 1, 2008, then used oil filters would be banned from state landfills after Jan 1, 2009. (This is an example, not a committee recommendation). Since the recycling of absorbents is so low (currently about 2%), the committee is looking at a longer time frame and a smaller target (perhaps 6-7 years and a 40% target- again, an example). Zieve asked if manufacturers shouldn't be responsible for this. Reindl said that the Alberta model is a good model. Piotrowski said that he likes the Alberta model. He said that he personally and the industry in general, opposes government mandates. Zieve said that business in the US should do the same thing. Dreckmann said that Madison has a collection program and it costs the city \$4,000-\$4,500 a year for the program. Reindl said that the Council will revisit this item when the Commerce committee report comes out.

DNR Education:

Other Priority Issues:

Paper: Piotrowski said that the paper industry was interested in fiber. The quality of the fiber was also very important. The quality is directly related to the yield. A huge problem is adhesives. The Forest Products Laboratory has been working on this issue for years. The Post Office now has transferred to a new adhesive that is supposed to be better for recovery. He said that competitive pressures for haulers were driving the change to single stream. The sorting of that stream is an important aspect. More sorting adds to the price the paper companies must pay.

The glass and food waste incorporated into single stream also worries paper buyers. There are competing interests in cost of collection, processing and affordability. He said that he would try to get the Paper Council together with National Solid Waste Management Association (NSWMA). Three facilities in Wisconsin recycle 1.25 million tons of paper. That is more than Wisconsin can provide. This is a national market. There is a FDA problem with any food contaminated product. The whole picture has to be looked at. Reindl said we need to look at the whole system and optimize it. We don't know the answers so we have to identify real problem areas and constraints. Piotrowski said the public must be willing to accept lower quality. The US consumer is very discriminating. Reindl said that we have to identify alternative solutions. We need to make it a win-win for everyone. We need to get more paper but we have to maintain the quality. That would help the mills, the haulers and the consumer. There is also a magazine recycling group working on the issue. Reindl said he met with the Merchants Federation and the Wisconsin Manufacturers and Commerce. He said they listened when he told them that their members were throwing away a source of revenue. They did not realize the prices being paid for paper. Moore said that DNR was writing a Fact Sheet on contracts. The DNR is also working with haulers to help them collect more. They are also working with SHWEC on education. Dreckmann said that businesses are required to recycle but there is no enforcement because of staffing problems. He said he would rather have voluntary compliance than have to do enforcement. As long as the prices are high, this should be doable.

Mercury in Products: No report.

Construction & Demolition: Peters-Michaud said there was a lot of activity in the field. He said DNR has been addressing the regulatory issues, such as uses of drywall, and so there don't appear to be any regulatory hurdles for construction. He said that the local process for demolition permits was a problem. But that is not a state issue. Dreckmann said the City of Madison requires a plan for demolition. The city requires a bond to make sure the requirements of the plan are met. That is not specified by ordinance. The goal is to work with each project and divert as much as possible.

Electronics: Peters Michaud said that he would report on electronics at the next meeting. There was a lot going on nationally.

Other Business: Fields said that the 1st draft of the Annual Report was finished. Members should review this and make suggestions. This report goes to the Governor and interested legislators.

The next Council meeting is scheduled for Tuesday, April 26, 2005 at 9:00 AM in the Boardroom of the Alliant Energy Center, 119 Alliant Energy Center Way, Madison.

Adjournment: Zieve moved and Stencil seconded. The Council adjourned at 2:30.

Respectfully submitted by Daniel B. Fields, Department of Natural Resources.